

# Notice of Allowability

Application No.

10/751,009

Examiner

James W. Rogers, Ph.D.

Applicant(s)

MCMANUS ET AL.

Art Unit

1618

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 09/28/2006.
2. ☒ The allowed claim(s) is/are 36,37,39-45,50,51 and 53.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |                                                                                                            |                                                                                                              |
|------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)                                           | 5. <input type="checkbox"/> Notice of Informal Patent Application                                            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>20061114</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                                          |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|                                                                                                            | 9. <input type="checkbox"/> Other _____                                                                      |

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Mark Wilson on 11/13/2006.

The application has been amended as follows:

#### IN THE CLAIMS:

Claims 35,38,46-49 and 52 have been cancelled.

In claim 36 line 1, the recitation "The polymeric reagent of claim 35," has been replaced with "A polymeric reagent,".

In claim 36 lin 4, the recitation "POLY<sup>1</sup> is a water soluble polymer segment having a terminus defined as -O-R<sup>7</sup>;" has been replaced with "POLY<sup>1</sup> is poly(ethylene glycol) having a terminus defined as -O-R<sup>7</sup>;".

In claim 37 line 1, the recitation "The polymeric reagent of claim 35," has been replaced with "A polymeric reagent,".

In claim 37 lin 4, the recitation "POLY<sup>1</sup> is a water soluble polymer segment having a terminus defined as -O-R<sup>7</sup>;" has been replaced with "POLY<sup>1</sup> is poly(ethylene glycol) having a terminus defined as -O-R<sup>7</sup>;".

In claim 39 lin 1, the recitation "claim 38" has been change to "claim 36 or 37".

In claim 40 lin 1, the recitation "claim 38" has been change to "claim 36 or 37".

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In claim 43 lin 1, the recitation "claim 38" has been change to "claim 36 or 37".

In claim 53 line 1, the recitation "The polymeric reagent of claim 35," has been replaced with "A polymeric reagent,".

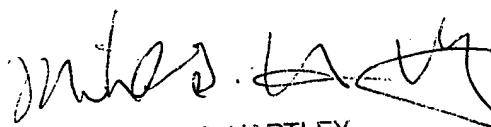
### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance: The polymeric reagents in claims 36-37 and 53 are free of the prior art and are novel.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Comments**

The drawings filed 31 December 2003 are accepted.

  
MICHAEL G. HARTLEY  
SUPERVISORY PATENT EXAMINER